

**IN THE UNITED STATES DISTRICT COURT
FOR WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

SHELLEY THOMSON,

Plaintiff,

VS.

**CHARLES EDWARD LINCOLN, and
PEYTON YATES FREIMAN,**

Defendants.

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CIVIL ACTION NO. SA-08-CA-105-FB


**ORDER DISMISSING AS MOOT MOTION TO REMOVE DAVID SIBLEY
AS PLAINTIFF'S ATTORNEY OF RECORD**

On March 31, 2009, this Court entered an order which denied the motion for new trial and or to amend judgment, and in the alternative granted the motion to remand (docket #22). Pending on the docket is the Motion to Remove David Sibley as Attorney for Plaintiff filed by plaintiff on January 15, 2009. Because this Court denied the motion to reconsider and in the alternative, remanded the case to state court, it no longer has jurisdiction over the case to decide that motion.

Accordingly, IT IS HEREBY ORDERED that the Motion to Remove David Sibley (docket #21) is DISMISSED AS MOOT.

It is so ORDERED.

SIGNED this 3rd day of April, 2009.



FRED BIERY
UNITED STATES DISTRICT JUDGE